

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

H.R. A MINOR THROUGH HER MOTHER §  
AND NEXT FRIEND DESTINY ROBLEDO §  
DESTINY ROBLEDO INDIVIDUALLY, §  
AND JIMMY ROBLEDO, §

Plaintiffs. §

v. §

UNITED STATES OF AMERICA, §

Defendant. §

6:23-CV-00796-ADA-JCM

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske (ECF No. 18). The report recommends Defendant's Motion to Dismiss be **GRANTED** (ECF. No. 10). The report and recommendation was filed on September 17, 2024.


A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider "[f]rivolous, conclusive, or general objections." *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on September 30, 2024 (ECF No. 19). The Court has conducted a *de novo* review of the motion, the responses, the report and recommendation, the objection to the report and recommendation, the reply, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske., ECF No. 18, is **ADOPTED**.

**THEREFORE, IT IS ORDERED** that the Motion to Dismiss is **GRANTED** and that Plaintiffs' claims be **DISMISSED**.

**SIGNED** this 7th day of October, 2024.



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**ALAN D ALBRIGHT**  
**UNITED STATES DISTRICT JUDGE**